



UNITED STATES MARINE CORPS
MARINE CORPS NATIONAL CAPITAL REGION COMMAND
QUANTICO, VIRGINIA 22134-5001

Canc: Mar 13

MCNCRCBul 5500

C 050

9 Nov 12

MARINE CORPS NATIONAL CAPITAL REGION COMMAND BULLETIN 5500

From: Commanding General, National Capital Region Command
To: Distribution List

Subj: CONFIDENTIAL FINANCIAL DISCLOSURE REPORT (OGE FORM 450)

Ref: (a) DoD 5500.07-R, Joint Ethics Regulation (JER)
(b) 18 U.S.C. § 208
(c) 5 CFR 2635.502

Encl: (1) Determining Annual Confidential Financial Disclosure Filers
(2) Common Errors in Preparation of the OGE Form 450
(3) Milestones for Filing OGE Form 450 and completing ethics training

1. Purpose. As required by reference (a), certain military and civilian personnel must file a Confidential Financial Disclosure Report (OGE Form 450) and receive ethics training on an annual basis.

a. This Bulletin establishes procedures and guidelines for filing the OGE Form 450 for Marine Corps activities who receive ethics support from the Quantico Area Counsel Office (QACO). Specifically, QACO will support Marine Corps Combat Development Command (MCCDC) and its subordinate organizations, to include Capabilities Development Directorate (CDD), Operations Analysis Division (OAD), Marine Corps Warfighting Laboratory (MCWL), and Training and Education Command (TECOM). QACO will also support Marine Corps Base, Quantico (MCBQ), Marine Corps Intelligence Activity (MCIA), Marine Corps Non-Appropriated Fund Audit Service (MCNAFAS), Wounded Warrior Regiment (WWR), Marine Corps Network Operations and Security Command (MCNOSC), Marine Corps Operational Test and Evaluation Activity (MCOTEA), and Joint Non-Lethal Weapons Directorate (JNLWD).

b. This Bulletin does not apply to the following tenant activities: FBI Academy, Fourth Light Armored Reconnaissance Battalion, Marine Corps Recruiting Command (MCRC), Manpower and Reserve Affairs (M&RA), Marine Corps Air Facility (MCAF), Marine Corps Systems Command (MCSC), Marine Corps Tactical System

9 Nov 12

Support Activity East (MCTSSA), Marine Helicopter Squadron One (HMX-1), Marine Corps Embassy Security Group (MCESG), National Geospatial-Intelligence Agency (NGIA), and the Naval Criminal Investigative Service (NCIS). These activities should coordinate with their Counsel or Ethics Office for instructions on how to comply with financial disclosure reporting requirements and completing their ethics training.

c. The QACO is available to provide ethics training to all government personnel even if they file their OGE Form 450 with another Counsel or Ethics office.

2. Background

a. The financial disclosure system protects covered employee by identifying and preventing potential criminal conflicts of interest, and apparent conflicts prohibited by references (b) and (c). **The process should focus on individuals in key positions with significant responsibilities affecting outside parties. The goal is to identify those individuals who have the greatest risk for potential conflicts of interest.**

b. The OGE Form 450 is the standardized report used by required filers in the Executive Branch of the Federal Government.

3. Processing of the OGE Form 450

a. Who Must File. Enclosure (1) provides guidance concerning who must file an OGE Form 450. Please keep in mind that the **employee's immediate supervisor has primary responsibility for determining whether the duties of the position require filing this report. All filers must complete ethics training either on-line or attend ethics training given by the QACO no later than 31 December 2012.** In person training will be provided on 17, 19 and 20 December 2012 (refer to enclosure (3)).

b. Report Period. The OGE Form 450 report covers the period from 1 January 2012 through 31 December 2012.

c. Completing the OGE Form 450. All filers must use the current edition of the form located at: http://www.dod.mil/dodgc/defense_ethics/. Click on Ethics Resource Library, click on Forms, then scroll down to OGE Form 450 (Dec 2011 edition). **Reports submitted on an outdated version of the form will not be accepted.** Please note the

9 Nov 12

9 Nov 12

listing of common errors in preparation of the OGE Form 450 at enclosure (2).

d. Filing Procedures. The reporting individual signs and submits the report to his/her supervisor. The supervisor signs and forwards the report to the division's assigned action officer (AO). The AO should review the OGE 450 form for completeness and accuracy, and then submits completed reports to the QACO Ethics Counselor (EC).

Note: Although this version of the form is capable of accepting digital signatures, the Department of Defense has not authorized any activities to accept forms with digital signatures. For the 2012 filing season, each filer must place an actual signature on the form and submit a paper copy of the form to QACO.

(1) Duties of the Supervisor. The supervisor reviews the report to determine that each item is completed and that there are no actual or apparent conflicts of interest with applicable laws or regulations. Upon completion of the review, the supervisor signs and dates the report and forwards it to the division AO.

(2) Duties of the AO. The AO acts as the liaison between the division and the QACO EC. He/she collects all forms ensuring that the headings are complete and have the appropriate signatures and forwards them as a group to the QACO EC.

e. Privacy. Once an OGE Form 450 is filed with the QACO, it is safeguarded to protect the filer's privacy. This is a confidential report, protected under the Privacy Act, and may be used only for the purposes stated in the instructions on the form.

4. Action

a. Division Directors. Division directors should appoint an AO for this project and forward the name to their division supervisors and to the Office of Counsel (C 050), MCCDC/MCBQ/QACO steven.e.lee@usmc.mil, (703) 784-2405, by no later than **16 November 2012**.

b. Supervisors. Supervisors should notify all identified employees (see paragraph 1(a), enclosure (1) "Who must file"),

Enclosure (1)

9 Nov 12

of their requirement to file this report. Forward the list of identified employees to division AO.

(1) Encourage employees to promptly submit their OGE Form 450 so that supervisors will have time to review the reports and request clarification if necessary.

(2) Ensure that all reports are submitted to the EC at the QACO (C 050), by fax or paper copy, beginning on **1 January 2013**, and no later than **15 February 2013**.

/s/

DAVID W. MAXWELL
Deputy Commander

DISTRIBUTION: A

Enclosure (1)

9 Nov 12

DETERMINING ANNUAL CONFIDENTIAL FINANCIAL DISCLOSURE FILERS**1. Who Must File**

a. Civilian personnel (below SES) or military personnel (below 0-7), including detailees, when:

(1) Their Position Description (PD) identifies the position as requiring the submission of an OGE Form 450.

(2) Their duties and responsibilities require them to participate personally and substantially through decision or exercise of significant judgment in taking official action for:

(a) Contracting or procurement;

(b) Administering or monitoring grants, subsidies, licenses, or other Federally conferred financial or operational benefits;

(c) Regulating or auditing any non-Federal entity;
or,

(d) Other activities in which the final decision or action may have a direct and substantial economic impact on the interests of any non-Federal entity.

(3) Their position requires the filing to avoid a real or apparent conflict of interest, or to carry out the purpose of any statute, executive order, or regulation applicable to or administered by the employee.

b. With the exception of 1(a)(1), the Supervisor is responsible for making the above determinations.

2. Exclusions

a. Personnel who support activities shown in paragraph 1 above, but who do not have significant control over them, should not file an OGE Form 450. For example, clerical personnel in a contracting office would not file an OGE Form 450. Supervisors who direct the activities of OGE Form 450 filers do not have to file unless they also exercise significant control over the decisions that affect non-Federal parties.

Enclosure (1)

9 Nov 12

b. Any DoD employee or group of DoD employees may be excluded from all or a portion of the reporting requirements when the Ethics Counselor (EC) and supervisor determine that a report is unnecessary because of:

(1) The possibility of any impairment to the integrity of the Federal government is remote; or

(2) The employee's work is substantially supervised or reviewed.

c. Government-wide Commercial Purchase Card (GCPC) holders should not automatically file an OGE Form 450. GCPC holders and micro-purchasers making annual purchases totaling less than the simplified acquisition threshold (currently \$100,000 per year) are excluded from the OGE Form 450 filing requirement. This guidance also applies to personnel who make purchases from established Blanket Purchase Agreements.

3. Examples of Billets Required to File an OGE Form 450.

a. Division director;

b. Deputy division director;

c. Branch head;

d. Contracting personnel, to include contracting officers representatives (CORs);

e. Fund managers;

f. GCPC holders if appropriate (see paragraph 2c above);

g. Where the PD for the billet requires the filing of an OGE 450. (Review PD to make this determination or contact Human Resources and Organizational Management (HROM)).

4. Point of Contact. For assistance in resolving any unique questions or concerns, please contact the Quantico Area Counsel Office, MCCDC/MCBQ at 703-784-3009.

Enclosure (1)

9 Nov 12

COMMON ERRORS IN PREPARATION OF THE OGE FORM 450

1. The following common errors are often found in the preparation of the OGE Form 450:

a. Failure to **list the specific name of each mutual fund**, as opposed to just listing the name of the fund family. For example, "Fidelity" does not sufficiently identify an asset, but "Fidelity Magellan" does.

b. Failure to **list underlying assets of an investment or broker's account**. All stocks and other investments independently traded in a broker's account must be reported, even if the broker is making the trades for you. A statement from the broker may be attached as long as it provides all the information required on the OGE Form 450.

c. Failure to identify the name, location, and nature of business of all nonpublic partnerships, closely held corporations, and similar private business ventures.

d. Failure to report the assets of a partnership which is not an "excepted investment fund." Partnerships can be reported without describing the underlying assets only when the interest is a limited partnership, which is publicly available, and purchased from a broker.

e. Failure to **list the underlying assets in an IRA account or 401(k) plan** in which the filer has control over selecting from among various investment options.

f. Using abbreviations and acronyms that do not fully identify the financial interest.

g. Failure to **check the "None" blocks** when there are no entries. A reviewer cannot assume the failure was an oversight.

h. Reporting assets and liabilities that need not be reported. For example, bank deposits, money market accounts, U.S. Government securities, personal auto loans, and mortgages on the filer's personal residence do not have to be reported on the OGE Form 450.

Enclosure (2)

9 Nov 12

i. Failure to report the general nature of the filer's or the filer's spouse's employment outside the U.S. Government.

j. Failure to identify **annuities** as fixed or variable. For variable annuities, in which the filer may choose among various investment options, **the filer must report the specific investment portfolios, mutual funds, or other investments held in the account.**

k. Failure to report the location (city and state) where rental property is located.

l. Failure to report the name and location (city and state) of creditors.

m. Failure to report the correct type of income for income-producing assets. Filers often list IRA, retirement fund, annuity, insurance, etc., as types of income. These are types of assets or accounts. Types of income include dividends, interest, capital gains, rent, salary, fees, etc.

2. Mutual funds and other account numbers, as well as social security numbers should not be disclosed. Although the report is confidential, government officials who review the form do not have a need to know this information.

Enclosure (2)

MILESTONES FOR FILING OGE FORMS 450 AND COMPLETING ETHICS
TRAINING

NOVEMBER 2012

- 16 Division directors appoint a project action officer (AO) and forward AO name to division supervisors and to Mr. Steven Lee at steven.e.lee@usmc.mil.
- 19 AOs forward list of employees required to file OGE Form 450, Confidential Financial Disclosure Report, to the Office of Counsel, same as above.

DECEMBER 2012

- 17 Ethics Training 0900-1000 (Gray Research Center)
- 19 Ethics Training 0900-1000 (Gray Research Center)
- 20 Ethics Training 0900-1000 (Gray Research Center)
- 31 All Ethics training completed and certificates submitted to the Office of Counsel, Marine Corps Combat Development Command (MCCDC)/Marine Corps Base Quantico (MCBQ).

FEBRUARY 2013

- 15 All completed OGE Forms 450 submitted to the Office of Counsel, MCCDC/MCBQ/QACO.
1. All ethics training sessions will be held in the Gray Research Center classroom across from the auditorium at Marine Corps University on the dates and times indicated above.
 2. Ethics training can also be taken on-line at: The on-line training module can be accessed at the following website: <https://donogc.navy.mil/Ethics/> (CAC Required). **When you complete the training, please ensure that you fill out and print a copy of the completion certificate and forward to your AO.**
 3. All identified filers of the OGE Form 450 Confidential Financial Disclosure Report are **required** to receive ethics training annually.

Enclosure (3)